# A COMPARATIVE STUDY ON THE PRESS FREEDOM IN MALAYSIA AND THE UNITED KINGDOM

By

Noor Rafidah Binti Mohammad Morzuki (2004614713) Siti Farah Binti Mat Deris (2004614825)

Submitted in Partial Fulfillment of the Requirement for the Bachelor in Legal Studies (Hons)

Universiti Teknologi MARA Faculty of Law

October 2006

he authors confirm that the work submitted is there is their own and that appropriate credit has been given where reference has been made to the work of others

## Acknowledgement

The writers would like to thank the supervisor for this honour project paper, Dr. Haidar bin Dziyauddin.for his general advice and research assistant. We also like to thank our family, friends and lectures of Faculty of Law of UiTM for their co-operation.

Special thank to Muhammad Afizu Ariffin for his co-operation and patience.

Lastly, thank to everybody that helps us in completing our project.

This research project has been carried out by a team, which has included:

- Siti Farah Binti Mat Deris
   My contribution to the project has been specific in chapter 1 and 2.
- Noor Rafidah Binti Mohammad Morzuki.
   My contribution to the project has been specific in chapter 3 and 4.

However, both of the writers do the work together, starting from searching the materials for our project until organize the structure of this book.

The writers hope that all the information given in this paper can be a guideline for these who are interested in press freedom.

### **Abstract**

This research is about a comparison of press freedom between Malaysia and UK. In these new era, world of journalist in Malaysia become more complex and dilemma to deal with too many restriction and interference of government give the press a limited freedom in reporting news. This project is aim for the possibility to enforce UK law into Malaysia scenario does press can publish more news in public interest not only for certain political interest. This research did not touch about a sensitivity issues and political interest. This research about a press freedom generally. The aim of this research is to examine the scope and the limitation of Article 10 of Federal Constitution in Malaysia and Article 10 of European Convention of Human Rights incorporated with Section 12 of HRA. The writers also focus on the ground whether Government of Malaysia and UK is controlling their freedom.

# TABLE OF CONTENTS

Acknowledgement Abstract	iì iii
Contents	iv
List of cases	v
CHAPTER ONE: INTRODUCTION	
1.0 Introduction	1
1.1 Research Questions	3
1.2 Objective and Scope	4
1.3 Significance of the Study	5
1.4 Limitation of the Research	6
1.5 Research Methodology	7
<ul><li>1.6 Outline of the Structure of the Paper</li><li>1.7 Conclusion</li></ul>	8
1.7 Conclusion	9
CHAPTER TWO: LITERATURE REVIEW	
2.0 Literature Review	10
2.1 Globalisation and the Press Freedom	12
2.2 The Role of The Press	13
: #	•
CHARTER THREE, A COMBARATIVE CTHRY OF DRESS EREEDON	A INI HIIZ ANID
CHAPTER THREE: A COMPARATIVE STUDY OF PRESS FREEDON	VI IN UK AND
MALAYSIA	
3.0 Introduction	15
<ul><li>3.1 The Practice of Press Freedom in Malaysia and UK</li><li>3.2 Legal Protection</li></ul>	15 29
3.3 Competing Interest and Restrictions	29
3.4 A way Forward	28
· · · · · · · · · · · · · · · · · · ·	
CHAPTER FOUR: CONCLUSION AND RECOMMENDATION	
4.0. Tutus de atilian	20
<ul><li>4.0 Introduction</li><li>4.1 Press and challenges</li></ul>	29 29
4.2 Recommendation	31
4.3 Conclusion	32
· · · · · · · · · · · · · · · · · · ·	-
Bibliography	33
Appendices	34
Appendix 1: Interview Questions	34
Appendix 2: Map of World Press Freedom	35

### CHAPTER 1

### INTRODUCTION

#### 1.0 INTRODUCTION

Malaysia is a democracy country and has different races, religions, culture and language. A democracy means a participation of the people in the electoral exercise of choosing leaders. It requires people to live and informed interest in the process of government. Malaysia is one of the countries that practice freedom of press in the world. We live in harmony and actually practice freedom in our life. But it also includes the press freedom. Free press usually means the right to publish, a right to confidentiality of sources, and a right to access. As a press, they always have an issue or opinion to issue to the public. So they have right to get sources and information to publish it. But they must follow the rule or law before publish the issue to the public. It is important to see the press as part of a system of social control whereby relationship between individuals and social institutions are adjusts. The meaning of the press is newspaper and new magazines, journalist or photographers who work for newspaper. Press is same with another citizen and they cannot be special, as law did not discriminate against press with another citizen. There is no authority given to them whether in works or in profession or daily life. So they cannot get any special authority because they just an ordinary person like other citizen. Based on the finding on the website in Sans Frontiers, which analyzes the press

<sup>&</sup>lt;sup>1</sup> Macmillan English Dictionary for Advanced Learners (International Student Edition) 1<sup>st</sup> ed. (2002) at 1113.